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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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AZ CORP COMMISSION
DOCUMENT CONTROLWILLIAM A. MUNDELL
CHAIRMANJIM IRVIN
COMMISSIONERMARC SPITZER
COMMISSIONER

DOCKETED BY

CAY

IN THE MATTER OF THE INVESTIGATION OF
THE COST OF TELECOMMUNICATIONS
ACCESS.

DOCKET NO. T-00000D-00-0672

PROCEDURAL ORDER**BY THE COMMISSION:**

By Procedural Order issued July 8, 2002, Staff's Motion to Suspend the Procedural Schedule in this proceeding ("Access Docket") was granted. Accordingly, the previously established timelines for filing Staff's testimony, rebuttal testimony, surrebuttal testimony, and the hearing date were suspended indefinitely.

On August 1, 2002, Citizens Communications Company, Navajo Communications Company, Inc., Citizens Telecommunications Company of White Mountains, Inc., dba Frontier Communications of White Mountains, and Citizens Utilities Rural Company, Inc., dba Frontier Citizens Utilities Rural (collectively "Citizens") filed a Motion to Consolidate/Motion to Reconsider Indefinite Extension ("Motion"). Citizens requests that this docket be consolidated with Docket No. RT-00000H-97-0137, *In the Matter of Review and Possible Revision of Arizona Universal Service Fund Rules* ("AUSF Docket"). Citizens claims that the issues in both dockets are substantially related and that the rights of all parties will not be prejudiced by consolidation. Citizens also requests that the suspension of the procedural schedule should be limited to a period of 30 to 45 days.

Responses to Citizens' Motion were filed on August 16, 2002 by Staff, on August 20, 2002, by WorldCom, Inc. ("WorldCom"), on August 21, 2002 by AT&T Communications of the Mountain States, Inc. and TCG Phoenix (collectively "AT&T"), and on August 22, 2002 by Qwest Corporation, Inc. ("Qwest"). All of the responding parties oppose Citizens' request for consolidation of the Access and AUSF Dockets. Staff argues that the issues and procedural tracks are substantially different for each of the dockets. Staff claims that while the Access Docket will investigate the

1 appropriate access charge cost structure for Arizona ILECs, the AUSF Docket will examine whether
2 changes to the current AUSF rules are appropriate given universal service fund changes at the federal
3 level. Staff also points out that the Access Docket is being conducted through an evidentiary hearing
4 process and the AUSF Docket is being treated through a rulemaking proceeding. WorldCom, AT&T,
5 and Qwest all oppose consolidation of the dockets. WorldCom requests that the Access Docket
6 procedural schedule should be suspended for only 90 days.

7 As Staff and the intervenors point out, the issues raised in the Access and AUSF Dockets are
8 substantially different and consolidation of the dockets is therefore not appropriate. Given the
9 complexity of the issues in each of the dockets, it will be more efficient to consider the issues
10 separately rather than jointly. The procedural schedule for this matter will continue, at this time, to
11 be suspended indefinitely. However, Staff is directed to file within 90 days, a statement of when it
12 will be prepared to proceed in this matter. The schedule will be reinstated pursuant to a subsequent
13 Procedural Order.

14 The Hearing Division Calendar issued September 4, 2002 inadvertently listed a Procedural
15 Conference in this proceeding for September 19, 2002. Since the procedural schedule has been
16 suspended indefinitely, no Procedural Conference will be scheduled at this time.

17 IT IS THEREFORE ORDERED that Citizens' Motion to Consolidate/Motion to Reconsider
18 Indefinite Extension is denied.

19 IT IS FURTHER ORDERED that Staff shall file within 90 days, a statement of when it will
20 be prepared to proceed in this matter.

21 IT IS FURTHER ORDERED that a subsequent Procedural Order will be issued establishing a
22 new procedural schedule. Intervenors will be given an opportunity to update their direct testimony as
23 part of the revised procedural schedule.

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IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 10th day of September, 2002.



DWIGHT D. NODES
ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 10th day of September, 2002 to:

DEBORAH R. SCOTT
ASSOCIATE GENERAL COUNSEL
CITIZENS COMMUNICATIONS COMPANY
2901 NORTH CENTRAL AVENUE, STE. 1660
PHOENIX, AZ 85012

CENTURYTEL OF THE OUTHWEST, INC.
CENTURYTEL
P O BOX 4065
MONROE LA 71211-4065

STEVEN W. CHEIFETZ
ROBERT J. METLI
CHEIFETZ & IANNITELLI, P.C.
3238 NORTH 16TH STREET
PHOENIX, AZ 85016

CURT HUTTSELL
CITIZENS COMMUNICATIONS COMPANY OF ARIZONA
4 TRIAD CENTER, SUITE 200
SALT LAKE CITY, UT 84180

MARY B. TRIBBY
RICHARD S. WOLTERS
1875 LAWRENCE STREET, STE. 1575
DENVER, CO 80202
ATTORNEYS FOR AT&T COMMUNICATIONS

COPPER VALLEY TELEPHONE, INC.
PO BOX 970
WILLCOX AZ 85644-0000

SCOTT WAKEFIELD, CHIEF COUNSEL
RUCO
1110 W. WASHINGTON STREET, STE. 220
PHOENIX, AZ 85007

MIDVALE TELEPHONE EXCHANGE
PO BOX 7
MIDVALE ID 83645-0000

TIMOTHY BERG
THERESA DWYER
FENNEMORE CRAIG
3003 NORTH CENTRAL AVENUE, STE. 2600
PHOENIX, AZ 85012

NAVAJO COMMUNICATIONS COMPANY, INC.
4 TRIAD CENTER, SUITE 200
SALT LAKE CITY, UT 84180

RICHARD S. WOLTERS
1875 LAWRENCE STREET, SUITE 1503
DENVER, CO 80202

QWEST CORPORATION
3033 N 3RD STREET ROOM 1010
PHOENIX AZ 85012
MANAGEMENT CONTACT:

ACCIPITER COMMUNICATIONS INCORPORATED
2238 WEST LONE CACTUS DR., SUITE 100
PHOENIX, AZ 85027

RIO VIRGIN TELEPHONE COMPANY
RIO VIRGIN TELEPHONE & CABLEVISION
PO BOX 189
ESTACADA, OR 97023-0000

ARIZONA TELEPHONE COMPANY
PO BOX 5158
MADISON, WI 53705-0158

SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION, INC.
PO BOX 226
ESCALANTE UT 84726-0000

SOUTHWESTERN TELEPHONE CO, INC.
PO BOX 5158
MADISON, WI 53705-0158

TABLE TOP TELEPHONE COMPANY, INC.
600 N SECOND AVENUE
AJO, AZ 85321-0000

- 1 VALLEY TELEPHONE COOPERATIVE INC.
752 E MALLEY STREET P O BOX 970
WILLCOX AZ 85644
- 2 VERIZON CALIFORNIA INC.
ONE VERIZON WAY - CA500GCF
THOUSAND OAKS CA 91362-3811
- 3 GREGORY HOFFMAN
AT&T COMMUNICATIONS OF THE MOUNTAIN STATES, INC.
795 FOLSOM STREET, ROOM 2159
SAN FRANCISCO, CA 94107-1243
- 4 BROOKS FIBER COMMUNICATIONS OF TUCSON, INC.
201 SPEAR STREET 9TH FLOOR
SAN FRANCISCO CA 94105-
- 5 CITIZENS LONG DISTANCE COMPANY
5600 HEADQUARTERS DRIVE
PLANO TX 75024-
- 6 COMM SOUTH COMPANIES INC.
2909 N. BUCKNER BLVD., STE. 800
DALLAS TX 75228-0000
- 7 COVAD COMMUNICATIONS COMPANY
4250 BURTON DRIVE
SANTA CLARA CA 95054-0000
- 8 COX COMMUNICATIONS
20401 NORTH 29TH AVENUE
PHOENIX AZ 85027-0000
- 9 DIGITAL SERVICES CORPORATION
211 N. UNION ST, STE. 300
ALEXANDRIA VA 22314
- 10 E.SPIRE
131 NATIONAL BUSINESS PARKWAY, STE. 100
ANNAPOLIS JUNCTION MD 20701-0000
- 11 ELECTRIC LIGHTWAVE, INC.
4 TRIAD CENTER, STE. 200
SALT LAKE CITY UT 84180-
- 12 ESCHOLON TELECOM OF ARIZONA, INC.
730 SECOND AVENUE SOUTH SUITE 1200
MINNEAPOLIS MN 55402-0000
- 13 GLOBAL CROSSING TELEMAGEMENT, INC.
180 SOUTH CLINTON
ROCHESTER NY 14646-0000
- 14 INTERMEDIA COMMUNICATIONS INC
ONE INTERMEDIA WAY
TAMPA FL 33647-1752
- 15 LEVEL 3 COMMUNICATIONS, LLC
1025 ELDORADO BLVD.
BROOMFIELD CO 80021-
- 16 MAX-TEL COMMUNICATIONS, INC.
105 N. WICKHAM, P. O. BOX 280
ALVORD TX 76225-0000
- 17 MCIMETRO
201 SPEAR STREET 9TH FLOOR
SAN FRANCISCO CA 94105
- 18 METROPOLITAN FIBER SYSTEMS OF ARIZONA, INC.
201 SPEAR STREET 9TH FLOOR
SAN FRANCISCO CA 94105
- 19 MOUNTAIN TELECOMMUNICATIONS, INC.
2540 E. 6TH STREET
TUCSON AZ 85716-0000
- 20 NORTH COUNTY COMMUNICATIONS CORPORATION
3802 ROSENCRANS, SUITE 485
SAN DIEGO CA 92110-0000
- 21 ONEPOINT COMMUNICATIONS
TWO CONWAY PARK, 150 FIELD DR., STE. 300
LAKE FOREST IL 60045-0000
- 22 RCN TELECOM SERVICES, INC.
105 CARNEGIE CENTER
PRINCETON NJ 08540-0000
- 23 REFLEX COMMUNICATIONS, INC.
1601 5TH AVENUE, STE. 710
SEATTLE WA 98101
- 24 RHYTHM LINKS, INC.
9100 E. MINERAL CIRCLE
ENGLEWOOD CO 80112-0000
- 25 SPRINT COMMUNICATIONS COMPANY L. P.
6860 W. 115TH, MS:KSOPKD0105
OVERLAND PARK KS 66211-
- 26 TCG PHOENIX
111 WEST MONROE STREET STE. 1201
PHOENIX AZ 85004-
- 27 THE PHONE COMPANY/NETWORK SERVICES OF NEW HOPE
6805 ROUTE 202
NEW HOPE PA 18938-0000
- 28 VERIZON SELECT SERVICES, INC.
6665 N MACARTHUR BLVD, HQK02D84
IRVING TX 75039-0000
- WINSTAR WIRELESS OF ARIZONA, INC.
1577 SPRING HILL RD. 2ND FLOOR
VIENNA VA 22182-
- XO ARIZONA, INC.
3930 E. WATKINS STE 200
PHOENIX AZ 85034-
- 360NETWORKS (USA) INC.
12101 AIRPORT WAY
BROOMFIELD CO 80021
- ALLCOM USA
2151 E. CONVENTION CNTR WAY, STE 207-A
ONTARIO CA 91764-4483
- ALLIANCE GROUP SERVICES, INC.
1221 POST ROAD EAST
WESTPORT CT 06880-0000
- ARCHTEL, INC.
1800 WEST PARK DRIVE SUITE 250
WESTBOROUGH MA 01581-0000
- MCLEODUSA COMMUNICATIONS
400 S HIGHWAY 169, SUITE 750
MINNEAPOLIS, MN 55426

1 ERNEST COMMUNICATIONS, INC.
6475 JIMMY CARTER BLVD SUITE 300
NORCROSS GA 30071-0000

2 GLOBAL CROSSING TELECOMMUNICATIONS, INC.
180 SOUTH CLINTON AVENUE
3 ROCHESTER NY 14646-0000

4 GST NET, INC.
4001 MAIN STREET
VANCOUVER WA 98663
5 IG2, INC.
80-02 KEW GARDEN ROAD SUITE 5000
6 KEW GARDENS NY 11415-0000

7 MAIN STREET TELEPHONE COMPANY
200 ITHAN CREEK AVENUE
VILLANOVA PA 19085-

8 MCI WORLDCOM NETWORK SERVICES, INC.
201 SPEAR STREET, 9TH FLOOR
9 SAN FRANCISCO CA 94105

10 NET-TEL CORPORATION
11921 FREEDOM DRIVE
RESTON VA 20190

11 NEXTLINK LONG DISTANCE SERVICES, INC.
3930 E. WATKINS SUITE 200
12 PHOENIX AZ 85034

13 NORTH COUNTY COMMUNICATIONS CORPORATION
3802 ROSENCRANS SUITE 485
14 SAN DIEGO CA 92110-0000

15 ONE POINT COMMUNICATIONS
TWO CONWAY PARK SUITE 300
LAKE FOREST IL 60045

16 OPEX COMMUNICATIONS, INC.
500 EAST HIGGINS ROAD STE 200
17 ELK GROVE VILLAGE IL 60007-0000

18 PAC-WEST TELECOMM, INC.
1776 W. MARCH LANE #250
STOCKTON CA 95207

19 QWEST COMMUNICATIONS CORPORATION
555 17TH STREET
20 DENVER CO 80202-0000

21 SINGLE BILLING SERVICES, INC.
9550 FLAIR DRIVE STE 409
EL MONTE CA 91731-0000

22 SPECIAL ACCOUNTS BILLING GROUP, INC.
1523 WITHORN LANE
23 INVERNESS IL 60067-0000

24 TELIGENT SERVICES, INC.
8065 LEESBURG PIKE SUITE 400
VIENNA VA 22182-0000

25 TESS COMMUNICATIONS, INC.
12050 PECOS STREET, STE. 300
26 WESTMINSTER CO 80234

27 TOUCH AMERICA
130 N. MAIN STREET
BUTTE MT 59701

VYVX, LLC
ONE WILLIAMS CENTER, MD 29-1
TULSA OK 74172

WESTERN CLEC CORPORATION
3650 131ST AVE SE SUITE 400
BELLEVUE WA 98006-0000

WILLIAMS LOCAL NETWORK, INC.
ONE WILLIAMS CENTER, MD 29-1
TULSA OK 74172

JOAN S. BURKE
ORBORN & MALEDON
2929 N. CENTRAL AVENUE, 21ST ST.
PHOENIX, AZ 85067-6379


MICHAEL PATTEN
ROSKA HEYMAN & DEWULF
400 E VAN BUREN SUITE 800
PHOENIX, AZ 85004

DARREN WEINGARD
SPRINT COMMUNICATIONS
1850 GATEWAY DR, 7TH FLOOR
SAN MATEO CALIFORNIA 94404

BRADLEY CARROLL
COX ARIZONA TELECOM LLC
20401 N 27TH AVENUE
PHOENIX AZ 85027

ERNEST G. JOHNSON, DIRECTOR
UTILITIES DIVISION
ARIZONA CORPORATION COMMISSION
1200 WEST WASHINGTON STREET
PHOENIX, AZ 85007

CHRISTOPHER KEMPLEY, CHIEF COUNSEL
ARIZONA CORPORATION COMMISSION
LEGAL DIVISION
1200 WEST WASHINGTON
PHOENIX, AZ 85007

By: 
Debbi Person
Secretary to Dwight D. Nodes